

BERNSTEIN CLARKE & MOSKOVITZ

11 Park Place, Suite 914, New York, New York 10007
www.bcmlaw.com Tel. (212) 321-0087 Fax (917) 722-0930

Andrew M. J. Bernstein
Lance A. Clarke
Joshua S. Moskovitz

September 7, 2018

BY ECF

Magistrate Judge Vera M. Scanlon
United States District Court
Eastern District of New York
225 Cadman Plaza East, 1214 South
Brooklyn, New York 11201

Re: *Hines et al. v. City of New York et al.*, No. 18-cv-4678 (JBW) (VMS)

Your Honor,

I write as Plaintiffs' counsel to request an adjournment of the September 18, 2018 status conference. I will be out-of-town on that date on a previously scheduled family vacation. No previous request for an adjournment of this conference has been made. None of the defendants has yet appeared in this matter.

The defendant City of New York was served the Summons and Complaint, as well as Your Honor's September 5, 2018 Scheduling Order on September 5. See ECF Doc. 9 (Declaration of Service). The other defendants will be served with process and the scheduling order on or before September 12.¹

I appreciate the Court's attention to this request.

Sincerely,



Joshua S. Moskovitz

¹ The Complaint was filed on August 18, 2018, but due to a mistake in the Civil Cover Sheet, which I was unable to correct immediately because I was traveling, the Clerk did not issue the Summons until August 27. Thus, the City was served with process 18 days after the Complaint was filed and 9 days after the Summons was issued; and the remaining defendants will be served no more than 25 days after the Complaint was filed and 16 days after the Summons was issued. Thus, service will be completed well-within the timeframe set by Fed R. Civ. P. 4(m).